

UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: MARK LOFTUS	:	CHAPTER 13
Debtor	:	
	:	
JACK N. ZAHAROPOULOS	:	
STANDING CHAPTER 13 TRUSTEE	:	
Movant	:	
	:	
vs.	:	
	:	
MARK LOFTUS	:	
Respondent	:	CASE NO. 5-22-bk-00590

TRUSTEE'S OBJECTION TO CHAPTER 13 PLAN

AND NOW, this 27th day of June, 2022, comes Jack N. Zaharopoulos, Standing Chapter 13 Trustee, and objects to the confirmation of the above-referenced debtor's plan for the following reason(s):

1. Debtor's plan violates 11 U.S.C. § 1325(a)(4) in that the value of property to be distributed under the plan on account of each allowed unsecured claim is less than the amount that would be paid on such claim if the estate were liquidated under Chapter 7. More specifically, the debtor has excess non-exempt equity in the following:
 - a. Residential real estate. The Trustee has requested proof of the value of the debtor's home as stated in his schedules. Base plan must be no less than \$40,000.00 to pay allowed unsecured claims in full.
 - b. Injury or other claim.
 - c. Automobile
2. The Trustee avers that debtor's plan is not feasible based upon the following:
 - a. The plan is underfunded relative to claims to be paid.
 - b. Plan ambiguous – Base amount will not be met if real estate is not sold by March, 31, 2023.

WHEREFORE, Trustee alleges and avers that debtor's plan is nonconfirmable and therefore Trustee prays that this Honorable Court will:

- a. Deny confirmation of debtor(s) plan.

- b. Dismiss or convert debtor(s) case.
- c. Provide such other relief as is equitable and just.

Respectfully submitted:

/s/Jack N. Zaharopoulos
Standing Chapter 13 Trustee
8125 Adams Drive, Suite A
Hummelstown, PA 17036
(717) 566-6097

CERTIFICATE OF SERVICE

AND NOW, this 30th day of June, 2022, I hereby certify that I have served the within Objection by electronically notifying parties or by depositing a true and correct copy of the same in the United States Mail at Hummelstown, Pennsylvania, postage prepaid, first class mail, addressed to the following:

Joseph Blazosek, Esquire
341 Wyoming Avenue, Suite 9
West Pittston, PA 18643

/s/Deborah A. Behney
Office of Jack N. Zaharopoulos
Standing Chapter 13 Trustee